

II. Listing of Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

1-3. (Cancelled)

4. (Currently Amended) A vertebral implant device for interposition between two vertebral bodies, the device comprising:

an outer body including a chamber and a first vertebral interface endwall textured for engagement with one of the two vertebral bodies;

an inner body including a second vertebral interface endwall textured for engagement with the other of the two vertebral bodies, wherein the outer body includes at least one slot and the inner body includes at least one tab, and wherein the tab movably engages the slot; and

a core member positioned entirely within the chamber,

wherein the outer body is movably engaged with the inner body and wherein responsive to a load applied to the device, the outer and inner body at least partially compress the core member and,

wherein the outer body and inner body each comprise a cavity for containing bone growth promoting material.

5. (Cancelled)

6. (Previously Presented) The vertebral implant device of claim 4 wherein the inner body comprises a shaft extending at least partially into the chamber.

7. (Original) The vertebral implant device of claim 6 wherein responsive to the load applied to the device, the shaft slidably advances into the chamber causing the at least partial compression of the core member.

8. (Cancelled)

9. (Previously Presented) The vertebral implant device of claim 4 further comprising a longitudinal axis, wherein the slot extends longitudinally along the outer body and the tab translates within the slot for movably engaging the outer and inner bodies.

10. (Previously Presented) The vertebral implant device of claim 4 wherein the tab prevents the inner body from disengaging the outer body.

11. (Cancelled)

12. (Currently Amended) The vertebral implant device of claim 4 ~~claim 11~~ wherein the outer body comprises one or more apertures in communication with the cavity.

13. (Original) The vertebral implant device of claim 4 wherein the outer body includes a longitudinal axis and an end portion extending at a non-perpendicular angle with respect to the longitudinal axis.

14. (Original) The vertebral implant device of claim 4 wherein the inner body includes a longitudinal axis and an end portion extending at a non-perpendicular angle with respect to the longitudinal axis.

15. (Cancelled)

16. (Original) The vertebral implant device of claim 4 wherein the device includes a substantially oval cylindrical cross-section.

17. (Original) The vertebral implant device of claim 4 wherein the core member comprises one or more compartments.

18. (Original) The vertebral implant device of claim 4 wherein the core member comprises an elastomer.

19. (Original) The vertebral implant device of claim 18 wherein the elastomer comprises polyurethane.

20. (Original) The vertebral implant device of claim 18 wherein the elastomer comprises silicone.

21. (Original) The vertebral implant device of claim 18 wherein the elastomer comprises a copolymer of polyurethane and silicone.

22. (Original) The vertebral implant device of claim 18 wherein the elastomer comprises polyolefin rubber.

23. (Original) The vertebral implant device of claim 4 wherein the core member comprises a hydrogel.

24. (Original) The vertebral implant device of claim 23 wherein the hydrogel comprises a polyvinyl alcohol hydrogel.

25. (Original) The vertebral implant device of claim 23 wherein the hydrogel comprises a polyacrylonitrile-based hydrogel.

26. (Original) The vertebral implant device of claim 23 wherein the hydrogel comprises a polyacrylic-based hydrogel.

27. (Original) The vertebral implant device of claim 23 wherein the hydrogel comprises a polyurethane-based hydrogel.

28. (Original) The vertebral implant device of claim 4 wherein the core member comprises one or more polymers.

29. (Original) The vertebral implant device of claim 4 wherein the core member comprises one or more surface features for altering the response of the core member to the at least partial compression.

30. (Original) The vertebral implant device of claim 4 wherein the core member comprises one or more subsurface features for altering the response of the core member to the at least partial compression.

31-46. (Cancelled)